



110-115

GP23b

#8

PATENT
Atty. Docket No. SYT-003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): McGill et al.

GROUP NO. 2316

SERIAL NO.: 08/023,091

EXAMINER: Kriess, K.

FILED: February 26, 1993

RECEIVED

TITLE: DISK OPERATING SYSTEM BACK-UP AND RECOVERY SYSTEM

NOV 10 1994
GROUP 2300

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First-Class Mail, postage prepaid, in an envelope addressed to the: Honorable Commissioner of Patents and Trademarks, Washington, D.C. 20231 on October 28, 1994.

Kim A. Sande

Sir:

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is

a small entity -- verified statement:

attached.

100 PB 11/08/94 080250 already filed. 1 115 110.00 CK

other than a small entity.

EXTENSION OF TERM

Note: "Extension of Time in Patent Cases (Supplement Amendments) -- if a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

Note: See 37 CFR 1.645 for extensions of time in interference proceedings and 37 CFR 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply

(complete (a) or (b) as applicable)

- a. Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input checked="" type="checkbox"/> one month	\$110.00	\$55.00
<input type="checkbox"/> two months	\$370.00	\$185.00
<input type="checkbox"/> three months	\$870.00	\$435.00
Fee \$		110.00

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$

or

- (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 CFR 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN A SMALL ENTITY			
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE
TOTAL * 34	MINUS ** 32	=	x11=	\$	2	x22=	\$ 44.00
INDEP. * 5	MINUS ** 3	=	x37=	\$	2	x76=	\$152.00

17 FIRST PRESENTATION OF MULTIPLE DEP. CLAIM +100=

\$	+240=	\$
<hr/>		
	OR	TOTAL
\$		ADDET.
		PPR. \$196.00

- * If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".
- *** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims original filed.

(complete (c) or (d) as applicable)

c. No additional fee for claims is required.

OR

d. Total additional fee for claims required \$ _____.

FEE PAYMENT

5. Attached is a check in the sum of \$306.00.

Charge Account No. 20-0531 the sum of \$ _____.

A duplicate of this transmittal is attached.

FEE DEFICIENCY

Note: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period was expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

6. If any additional extension and/or fee is required, charge Account No. 20-0531.

AND/OR

If any additional fee for the claims is required, charge Account No. 20-0531.

Respectfully submitted,



Curtis A. Vock
Reg. No. 38,356

Date: October 28, 1994

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53 State Street
Boston, MA 02109
Tel. No. (617) 248-7367

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Lin A. Sande

Sir:

In response to the Office Action dated June 29, 1994, enclosed is the Amendment, Amendment Transmittal (in duplicate), a check in the amount of \$196.00 for additional claims, a Petition and fee of \$110.00 for one month extension of time and a postcard.

Respectfully submitted,

Date: October 28, 1994

Curtis A. Vock
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Reg. No. 38,356

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Boston, MA 02109
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